

## **Remarks**

### **1. Summary of Office Action**

In the office action mailed May 9, 2003, the Examiner rejected claims 1-2, 8-14, and 16-23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,014,427 (Hanson). Further, the Examiner rejected claims 3-7 and 15 under 35 U.S.C. § 103(a) as being obvious over a combination of Hanson and U.S. Patent No. 6,438,215 (Skladman).

### **2. Status of Claims**

Presently pending in this application are claims 1-23, of which claims 1, 11, and 17 are independent and the remainder are dependent.

### **3. Response to § 102 Rejections**

As noted above, the Examiner rejected claims 1-2, 8-14, and 16-23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,014,427 (Hanson).

Under M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Applicants respectfully traverse the rejections of claims 1-2, 8-14, and 16-23 because Hanson does not disclose or suggest each and every element as recited in any of these claims.

#### **a. Independent Claims 1, 11, and 17**

The presently claimed invention is directed to a method and system for consolidated message notification in a voice command platform. More particularly, each of independent claims 1, 11, and 17 recites, in one way or another, the function of a voice command platform providing a consolidated summary of counts of messages waiting for a user at a plurality of message portals.

For example, independent claim 1 recites a voice command platform that is programmed “to receive a call from a user, to answer the call, and to send to the user a speech signal representing a consolidated summary of counts of messages waiting for the user at a plurality of message portals.”

Similarly, independent claim 11 recites a voice command platform that includes, among others, the elements of “a user profile store including, respectively for each of a plurality of users, a consolidated message summary indicating counts of messages waiting for the user at a plurality of message portals” and “consolidated-message-notification logic executable by the processor to communicate to a given user, via the user communication interface, an indication of the counts of messages waiting for the user at the plurality of message portals, as reflected by the message summary for the given user.”

And claim 17 involves the steps of “receiving from each of a plurality of separate message-portals a respective message-waiting count for a common user” and “presenting to the common user a spoken summary of the respective message-waiting counts for the plurality of separate message-portals.”

Hanson teaches a voice mail system, in which a creator of a voice mail message is provided with the ability to pre-define responses to the message. But Applicants do not find in Hanson the combination of elements as recited in either claim 1, 11, or 17. In particular, Applicants do not find in Hanson any disclosure of a voice command platform providing a consolidated summary of counts of messages waiting for a user at a plurality of message portals.

At best, at column 4, lines 1-8, cited by the Examiner, Hanson discloses that when a user logs in to a voice mail system, the user hears a prompt indicating the number of new messages stored for that user. More particularly, the prompt plays: “you have N new messages”. The

voice mail system then offers the user a choice of retrieving the new messages or recording and sending messages, including action messages that contain pre-defined responses.

Further, column 8, lines 13-35 describe in more detail the process of retrieving voice mail messages received by the voice mail system as taught by Hanson. In particular, at lines 21-24, Hanson generally discloses that the voice mail messages could be received internally or could be received from other voice mailbox systems as illustrated in Figure 2.

However, those passages, like the rest of Hanson, fail to disclose any description of the claimed function of a voice command platform providing a consolidated summary of *counts* of messages waiting for a user at a plurality of message portals.

Rather, a person of ordinary skill in the art would logically understand that disclosure in Hanson at best describes the function of (i) receiving voice mail messages from various voice mailbox systems into a common voice mailbox system and (ii) generating a prompt indicating *total* number of messages waiting for a given user at the common voice mailbox system. To the extent relevant, all Hanson teaches is providing a *single* count of messages waiting for the given user at the common voice mailbox system. Hanson does not teach or suggest a voice command platform providing a consolidated summary of *counts* of messages waiting for the given user at a plurality of message portals.

With all due respect, Applicants note that in order to anticipate a claim, the identical invention must be shown in as complete detail as is contained in the claim. M.P.E.P. § 2131. Because Hanson does not teach the invention as recited in any of claims 1, 11, and 17, Hanson fails to anticipate these claims.

**b. Dependent Claims 2, 8-10, 12-14, 16, and 18-23**

Claims 2, 8-10, 12-14, 16, and 18-23 depend from respective independent claims 1, 11 or 17 and therefore incorporate all of the elements of claim 1, 11 or 17. As noted above, Hanson does not teach all of the elements recited in either claim 1, 11 or 17. Therefore, Hanson also fails to anticipate claims 2, 8-10, 12-14, 16, and 18-23.

Applicants do not concede that the representations made by the Examiner with respect to those dependent claims are correct. However, Applicants submit that those other points are moot in view of the fact that Hanson fails to disclose or suggest the invention as recited in any of the parent claims.

**4. Response to § 103 Rejections**

As further noted above, the Examiner rejected claims 3-7 and 15 under 35 U.S.C. § 103(a) as being obvious over the combination of Hanson and Skladman.

In order to establish a prima facie case of obviousness of a claimed invention by applying a combination of references, the prior art must teach or suggest all of the claim limitations. M.P.E.P. §2143. Applicant traverses the rejections of claims 3-7 and 15, because the combination of Hanson and Skladman fails to disclose or suggest every element of any of these claims.

Each of claims 3-7 and 15 depends from either claim 1 or claim 11 and therefore incorporates all of the elements of either claim 1 or claim 11. As discussed above, Hanson fails to teach or suggest the invention as recited in each of parent claims 1 and 11. Therefore, Hanson fails to teach or suggest the invention as recited in any of claims 3-7 and 15.

Further, Applicants respectfully submit that Skladman fails to overcome the deficiencies of Hanson as described above. Namely, Skladman fails to teach or suggest the function of a

voice command platform providing a consolidated summary of *counts* of messages waiting for a user at a plurality of message portals.

Skladman teaches a unified messaging system, which is capable of providing messages from disparate messaging systems such as e-mail, voice mail, and facsimile systems. (See Skladman, abstract, and column 2, lines 45-67.) More particularly, a unified message server permits users to receive messages from those disparate messaging systems by way of a single interface. (See Skladman, at column 6, lines 20-34.) But Skladman does not disclose or suggest a voice command platform providing a consolidated summary of *counts* of messages waiting for the user at a plurality of message portals, as presently claimed.

Further, if one were to combine together the disclosures of Hanson and Skladman, the result would not be Applicants' claimed invention. Rather, at best, the result would be a unified messaging server that (i) receives messages from a plurality of message portals (e.g., e-mail, voice mail, and facsimile portals) and (ii) provides a *single* count of messages waiting for a user at the server. There is no suggestion for a voice command platform to provide a consolidated summary of *counts* of messages waiting for the user at a plurality of message portals, as presently claimed.

Applicants do not concede that the representations made more specifically by the Examiner with respect to dependent claims 3-7 and 15 are correct. However, Applicants submit that those other points are moot in view of the fact that the cited combination fails to teach or suggest the invention as recited in each of parent claims 1 and 11.

**5. Conclusion**

Accordingly, Applicants respectfully submit that all of presently pending claims 1-23 are in condition for allowance, and Applicants respectfully request favorable reconsideration.

Respectfully submitted,

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